

VZCZCXRO7564
PP RUEHIK
DE RUEHPS #0480/01 3071505
ZNR UUUUU ZZH
P 031505Z NOV 09
FM AMEMBASSY PRISTINA
TO RUEHC/SECSTATE WASHDC PRIORITY 9409
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUEHNO/USMISSION USNATO 1241
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK
RUCNDT/USMISSION USUN NEW YORK 1768
RHFMIUU/AFSOUTH NAPLES IT
RHMFISS/CDR TF FALCON
RHEFDIA/DIA WASHDC
RUEKJCS/SECDEF WASHINGTON DC
RUEPGEA/CDR650THMIGP SHAPE BE
RHEHNSC/NSC WASHDC
RUEAWJA/DEPT OF JUSTICE WASHDC
RHMFIUU/DEPT OF HOMELAND SECURITY WASHINGTON DC
RUEATRS/DEPT OF TREASURY WASHDC
RUZEJAA/USNIC PRISTINA SR

UNCLAS SECTION 01 OF 06 PRISTINA 000480

SIPDIS

DEPT FOR EUR/SCE, INL (JLYLE)

E.O. 12958: N/A

TAGS: [SNAR](#) [PGOV](#) [KJUS](#) [KCRM](#) [EAID](#) [KDEM](#) [KV](#)

SUBJECT: KOSOVO: 2009 INCSR REPORT PART ONE

REF: STATE 97228

PRISTINA 00000480 001.2 OF 006

¶1. Following is Part One of Kosovo's 2009 INCSR report (narcotics and chemical control).

¶2. Begin report.

¶I. Summary

Though Kosovo is primarily a transit country for Afghan drugs destined for Europe, anecdotal evidence from the Kosovo Police (KP) suggests a growing domestic narcotics market. Kosovo faces challenges in its battle against narcotics trafficking: its borders are porous and there is corruption among the Kosovo Border Police (KBP) and Customs officers. The KP continues its efforts to combat the drug trade, but suffers from limited resources and the low priority of its counternarcotics branch. The Kosovo Government, led by the Ministry of Internal Affairs (MOIA) adopted its national counternarcotics strategy in July 2009 but has yet to find the resources to implement it fully.

Kosovo has not yet become a party to the 1988 UN Drug Convention. Its unique history under UNSCR 1244 as a United Nations-administered territory previously prevented it from entering into most bilateral, multilateral and international agreements, including the Convention.

Kosovo declared independence on February 17, 2008 and the United Nations Mission in Kosovo (UNMIK) began to transfer competencies to the Kosovo Government starting on June 15, 2008 when Kosovo's constitution came into force. Kosovo now possesses the authority to sign treaties and agreements and is currently reviewing and prioritizing the most important treaties for future ratification. The European Rule of Law Mission (EULEX) was declared operational December 9, 2008, replacing most of UNMIK's civilian police, prosecutors and judges, but with a significantly different mandate. EULEX, unlike UNMIK, has very limited executive authority, focusing on the roles of mentoring, monitoring, and advising. The United States and the European Union continue to provide rule of law technical assistance, including training and equipment that will help Kosovo combat narcotics trafficking more effectively over time.

II. Status of Country

The Kosovo Border Police (KBP), an element of the KP, lacks basic equipment, and narcotics traffickers capitalize on weak border controls in Kosovo. The KBP patrol all border crossing points except two entry points in northern Kosovo, which are staffed by EULEX and the NATO-led Kosovo Force (KFOR). EULEX provides police and customs advisors to the KBP at all other border crossings. The KBP and KFOR jointly patrol the "Green Border," the area where there are no official manned borders or administrative boundary line gates, along the borders with Albania (112 km), Macedonia (159 km) and Montenegro (79 km). At this time, KFOR alone patrols the 352 km border with Serbia. This patrolling along the "Green Border" extends up to the actual border, but traffickers nevertheless take advantage of numerous roads leading into Kosovo that lack border controls. Narcotics interdiction is not part of KFOR's mandate. KFOR soldiers seize narcotics they happen to encounter while performing their duties, but they do not actively investigate narcotics trafficking. A proposed drawdown of KFOR troops would place additional border management responsibilities on the KBP.

Information on domestic narcotics consumption is gathered by UNICEF and NGO Labyrinth, who agree that there is a growing local market and that illegal drug use is on the rise. They add that the levels of narcotics consumption among teenagers and university-aged young adults, the primary users, are close to those in most Western European countries. There are no reliable estimates of the number of drug users, but UNICEF places the figure around 20,000, mostly heroin users, although cocaine seems to be gaining popularity. The vast majority of addicts referred for treatment are heroin users.

III. Country Actions against Drugs in 2008

Policy Initiatives.

PRISTINA 00000480 002.2 OF 006

Kosovo has made limited progress on counternarcotics policy initiatives in 2009. The country's national counternarcotics strategy, developed by the MOIA, was released in July 2009 but has yet to be implemented, in part due to financial constraints. The new national strategy calls for better coordination with other organizations such as the Ministry of Health (MOH) and the Ministry of Education, and for better communication within the KP. For instance, street-level drug enforcement is managed by the KP Department of Order while higher-level drug crimes are managed by their Department of Crime. Although these two departments do not communicate well now, a proposed reorganization of the KP should address that problem.

The MOH, in its strategic plan and budget for 2008-2013, included the goals of accurately assessing the extent of the drug problem in Kosovo, developing a national strategy for preventing drug use among adolescents and youths, creating regular mechanisms for monitoring drug use levels among adolescents and youths, and increasing services to drug addicts. In December 2007, the MOH compiled the National Strategy on Mental Health, which includes treatment and services for drug addicts, but implementation has been slow due to lack of funding.

The MOIA reported that it is working to increase Kosovo's narcotics investigative capacity and plans to meet European Partnership Agreement Program goals by training counternarcotics officials, procuring technical equipment, and strengthening interagency cooperation.

Law Enforcement Efforts.

KP counternarcotics officers face many challenges. Their resources are limited and counternarcotics is not a top priority for the GOK. Furthermore, statistics on seizures, arrests and prosecutions are largely unreliable and inconsistent.

From January through September 2009, according to a report published by the KP Unit for Planning and Development, the KP confiscated 27.7 kg of heroin, 2.4 kg of cocaine, 19.5 kg of marijuana, 2.2 kg of hashish and 7278 individual marijuana plants. The KP has found no evidence of synthetic drug production in Kosovo.

In the first nine months of 2009, the KP has arrested 275 people on narcotics charges and filed 169 narcotics-related cases, 122 of which were sent to the Prosecutor's Office. The remaining cases are still under investigation.

The KP uses a wide range of investigative techniques, from information collection to interception and surveillance. "Intelligence-led policing" is an approach being used by the KP to find traffickers and learn of their activities. It is a logical extension of community policing and relies on good relationships formed between the police and local communities. However in contrast to other countries, this strategy is difficult to implement in Kosovo because of the tight-knit family and clan structures.

Much of the intelligence gained by police on narcotics trafficking comes from wiretaps. However, the degree with which the telephone providers cooperate with the police varies widely.

A common technique used in the West for infiltrating drug organizations is for an undercover agent to make increasingly larger buys. In Kosovo, cumbersome regulations often limit the amount of money available to the investigators, preventing them from going beyond the lowest level street pusher.

While UNMIK focused its anti-drug efforts on intercepting drugs smuggled into Kosovo and preventing them from departing to third countries, EULEX provides mentoring, monitoring and advising services to the KP. The quality of EULEX advice varies, depending on the background and experience of the individuals assigned to the narcotics unit.

Corruption.

It is difficult to estimate the extent to which corruption in Kosovo

PRISTINA 00000480 003.2 OF 006

influences drug trafficking. Kosovo has taken legal and law enforcement measures to prevent and punish public corruption that facilitates the production, processing, or shipment of narcotic and psychotropic drugs and other controlled substances, or that discourages the investigation or prosecution of such offenses, especially by senior government officials. However, results so far have been mixed.

The "Suppression of Corruption" law, passed in April 2005, is the prevailing legislation that directs anti-corruption activities. There are no laws that specifically address narcotics-related public corruption. The Suppression of Corruption law created the Kosovo Anti-Corruption Agency, an independent agency that began operations in July 2006. In early 2009, the Government of Kosovo drafted an amendment to the Suppression of Corruption law and also an official strategy against corruption for 2009 to 2011. As of November, 2009, neither measure had yet been approved by the Kosovo Assembly.

While there is no evidence of systemic corruption in the KP or Customs, there are reports of individual corruption, which officials are attempting to address. Cases reportedly involve officers turning a blind eye to narcotics trafficking or accepting bribes to allow narcotics to pass through borders. KP officials see the potential for problems due to the officers' low salaries and lack of benefits, and they believe corruption exists in the regional counternarcotics offices.

The Police Inspectorate of Kosovo (PIK) is an independent body under the MOIA designed to promote police efficiency and effectiveness and investigate and punish serious misconduct. (Note: The PIK has been run by a temporary director for five months. A permanent director has not been appointed for political reasons. End note) In May 2009, 47 kg of heroin and a large quantity of money and other evidence were stolen from a police evidence room. While there are at least 15 suspects, so far no charges have been brought, nor has any of the stolen property been recovered. The case is being investigated by the PIK, while a government official is being investigated by the EULEX Police Executive Department.

There is no information indicating that the Kosovo Government or its senior officials encourage or facilitate illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or launder the proceeds from illegal drug transactions.

Agreements and Treaties.

The 1902 extradition treaty with the Kingdom of Serbia is now recognized as being in force by both the United States and the Government of Kosovo. However, Kosovo will not extradite its nationals.

Due to its unique history as a UN-administered entity, Kosovo was not previously party to the 1988 UN Drug Convention or any other international convention or protocol. Since declaring independence in February 2008 and adopting a new state constitution in June 2008, Kosovo has gained the authority to sign international treaties as well as bilateral and multilateral agreements; however, this authority is for practical purposes limited to agreements with the 62 countries which have recognized Kosovo. Kosovo is not yet a UN member-state.

The Kosovo Government is currently prioritizing the most important international agreements for ratification but has not yet become a party to the 1988 UN Drug Convention, the UN Convention against Transnational Organized Crime, or the UN Convention Against Corruption. The Kosovo Government has reaffirmed its commitment to existing treaties signed on its behalf by UNMIK and the former Yugoslavia, including the extradition treaty originally signed between the United States and Yugoslavia.

Kosovo cooperates and exchanges information with countries in the region through informal bilateral and multilateral meetings. For example, the Director of Organized Crime in the KP regularly meets with his Albanian counterpart. The KP reports that data sharing with Macedonia and Montenegro on drug investigations is poor while data sharing with Albania, with whom a data sharing agreement was

PRISTINA 00000480 004.2 OF 006

signed in 2008, is reported to be excellent. Data sharing agreements with Macedonia and Montenegro are being negotiated. The effectiveness of EULEX advisors assigned to the narcotics department has not yet been reflected in increased arrests and prosecutions. Data sharing between EULEX and the KP could improve due to recently signed data sharing agreements between EULEX and Serbia and EULEX and the KP.

Additionally, Customs has memoranda of understanding with both Albania and Macedonia.

Cultivation/Production.

Kosovo is not a significant narcotics producer. The KP has found some evidence of small-scale marijuana cultivation in rural areas, mostly in the form of plants mixed in with corn crops or cultivated in back yards. The police have also found some uncultivated marijuana plants growing in rural areas. The KPS determine crop yield by counting individual plants, and the number of plants grown by any one producer is small enough to make this feasible. There have been a few reports of seizures of small quantities of precursor chemicals in Kosovo, but KP officials have found no evidence of narcotics refining or production labs.

Drug Flow/Transit.

Though Kosovo is primarily a transit country for Afghan drugs destined for Europe, anecdotal evidence from the KP suggests a growing domestic narcotics market. Data on drugs entering the country is weak, but data on drugs leaving the country is virtually non-existent. The KP reported a sharp drop in heroin coming from Bulgaria and transiting Macedonia after Bulgaria entered the EU, while drug flow from Albania has increased. Most of the drug traffic entering Kosovo is carried in small quantities across rugged borders on foot or by mule. Most drug seizures do not occur at a border crossing.

While the most pervasive drug in Kosovo is heroin, synthetic drugs manufactured in Serbia have been intercepted enroute to Albania while marijuana grown in Albania has been intercepted heading for Serbia. Several years ago most of the drug traffic was coming from Macedonia but now much of it comes from Albania. The street value of heroin is from 10,000 to 15,000 euro per kilogram uncut while cocaine is between 50,000 and 60,000 euro. Despite the much higher cost of cocaine, the KP reports that the amount of cocaine entering Kosovo from Albania, Montenegro and other sources has been growing. In fact the KP recently seized a shipment of cocaine coming from Belgium.

EULEX and KP officials report many small movements of narcotics, such as two to five kg on one person or 10 to 20 kg in a bag on a bus. EULEX advisors have observed the KBP allowing buses to pass without search, and in some cases, without checking passports of the passengers.

The Kosovo Government continues its efforts to interdict and seize drugs transiting Kosovo. However, there have been no significant changes in the methodology or tactics used by the Kosovo Police or Customs agencies. The KBP are attempting to acquire drug detection dogs but have not yet secured funding.

Domestic Programs/Demand Reduction.

According to NGO Labyrinth, the use of marijuana in schools has been increasing. Only 18% of 15 to 24-year-olds understand the dangers of drug use according to recent surveys by UNICEF. Even more alarming is that the age of first injection has dropped to 14 years.

While there are no reliable estimates of the number of drug users in Kosovo, UNICEF believes that there are now 20,000, up from 10,000 to 15,000 in 2001. One problem in obtaining data is that parents in this culture are deeply ashamed if their children use drugs and try to deny and hide the addiction rather than seek help. Also, wealthier parents are able to send their children to Slovenia and Croatia for rehabilitation. One initiative sponsored by UNICEF is called the Peer Education Network which so far has recruited 1500 young people in 22 municipalities to provide training and awareness

PRISTINA 00000480 005.2 OF 006

to other young people on drug prevention, the risks of HIV, sexually transmitted diseases, and the risks of smoking. In addition UNICEF is pioneering a life skills-based education program for eighth graders which will be expanded to other grades. The program, already in 500 schools, focuses on health, nutrition, sexuality, and HIV as well as drug prevention.

Both the Ministry of Health and the Ministry of Education run domestic prevention programs, and community police officers visit schools throughout Kosovo to educate students about the risks associated with drug use. NGOs such as Labyrinth assist with both education and treatment. Labyrinth says that based on the number of people asking for treatment for cocaine addiction, usage of cocaine has increased considerably in the last five years, an opinion supported by the KP. Labyrinth currently has about 600 clients in various stages of treatment. The number of new clients is ten to eleven per month, up from seven to eight per month two years ago. In addition only about 3% of Labyrinth's clients remain drug-free compared to about 25% in the European Union. Labyrinth attributes this to lack of follow-up and social services, cultural norms according to which a child can be disowned from his or her family for using drugs, and lack of economic or educational opportunities for young people.

The Pristina University Hospital Psychiatry Department, which also provides drug treatment, reports that on average two to four people are receiving in-patient treatment at any given time. The overwhelming majority of the patients are heroin addicts. Approximately 120-140 addicts receive out-patient treatment each year. The staff at Pristina University Hospital is limited, with only one doctor and one nurse devoted to treating drug addicts. Other regional medical centers' psychiatry wards reportedly do what they can to assist drug addicts, but they do not devote staff exclusively to their treatment.

The Hospital notes that the number of patients is increasing and sees an urgent need for a better drug treatment program that includes more and better trained staff, individual and group therapy, and separation from the psychiatric ward. Hospital officials consider the construction of a separate drug treatment facility a priority. They believe that the current arrangement that places drug addicts alongside psychiatric patients in the same ward creates a social stigma that prevents all but the most severe cases of drug addiction from seeking treatment.

Methadone has not been prescribed by public health services due to a technicality in the law although NGO Labyrinth has been using it as part of its rehabilitation program. Last year the Global Fund awarded Kosovo \$5.6 million for a five-year methadone treatment program. The methadone, taken orally, will be administered and tracked by Labyrinth and other clinics under this program beginning in December 2009. Labyrinth reports a success rate of only 12 percent using methadone to treat heroin addiction, and it attributes this low rate of success to the absence of a long-term maintenance and follow-up program.

IV. U.S. Policy Initiatives and Programs

Bilateral Cooperation.

Kosovo cooperates with the United States on counternarcotics issues to the extent possible.

In 2009, the U.S. Department of Justice's OPDAT program (Overseas Prosecutorial Development, Assistance and Training) conducted training for prosecutors in the new Kosovo Special Prosecutors Office, which handles narcotics trafficking and other complex crimes. Projects included instruction on how to handle Trafficking in Persons cases and the Confiscation of Documents, as well as a course in Terrorism, Organized Crime, Interagency Decision Making, Consequence Management, and Border Management. In past years, the United States Government has provided technical assistance and equipment donations that directly or indirectly support counternarcotics work in Kosovo. The USGs Export Control and Related Border Security (EXBS) program donated a large amount of border security equipment, including x-ray machines, density measuring kits, and other equipment. The United States Government

PRISTINA 00000480 006.2 OF 006

funded and contributed 80 police officers, one judge, and three prosecutors to EULEX's rule of law mission.

In partnership with the North Carolina US Attorney General's office, OPDAT has led a series of trainings in both Kosovo and the United States aimed at teaching the KP and Kosovar prosecutors US methods of drug detection, investigation and prosecution. OPDAT will also provide the KP with much-needed equipment including field test kits and specialized communications and tracking gear.

The Road Ahead.

The United States will continue to provide rule of law assistance to Kosovo for the foreseeable future. USG-funded police, prosecutors, and judges will continue working in Kosovo as part of the EULEX deployment. The U.S. Government is coordinating its rule of law assistance goals and priorities for Kosovo with the EU, and it will continue to provide training, technical assistance and equipment to the KP and Kosovo's criminal justice sector that directly and indirectly support counternarcotics work. Among the USG's contribution of police officers to the EULEX police mission in Kosovo, some officers will possess special organized crime and counternarcotics skills.

End report.

DELL